IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

BENJAMIN WITTES,) Civil Action No. 1:17-cv-01627-RC
Plaintiff,)
v.)
U.S. DEPARTMENT OF JUSTICE and OFFICE OF MANAGEMENT AND BUDGET,)))
Defendants.)))

JOINT STATUS REPORT

Plaintiff Benjamin Wittes and Defendants United States Department of Justice ("DOJ") and the Office of Management and Budget ("OMB") (collectively, "Defendants") respectfully submit this Joint Status Report pursuant to the Court's Order of March 4, 2019. The parties incorporate by reference their prior Joint Status Reports (ECF Nos. 8, 10-12, 16-19, 21-22, and 24-26). The parties report as follows:

- 1. On August 11, 2017, Plaintiff initiated this action under the Freedom of Information Act ("FOIA") against OMB and DOJ. The Complaint alleges that this action involves FOIA requests dated April 14, 2017, and submitted to, in relevant part, DOJ's Office of Information Policy ("OIP"), DOJ's National Security Division ("NSD"), and OMB.
- OMB completed its processing of Plaintiff's request on February 28, 2018. OMB located no records responsive to Plaintiff's request.
- 3. NSD completed its processing of Plaintiff's request and made a release of responsive, non-exempt records on February 7, 2018.

- 4. OIP conducted a keyword-based search for records and released non-exempt portions of responsive records in two releases, on March 1, 2018 and April 4, 2018.
- 5. On June 12, 2018, Plaintiff and OIP reached an agreement to resolve certain issues in dispute in this litigation, pursuant to which, among other things, OIP agreed to conduct a narrowed search for certain records.
 - 6. OIP completed the agreed-upon narrow search on July 24, 2018.
- 7. On October 16, 2018, OIP made a supplemental release of non-exempt portions of responsive records.
- 8. The parties have reached a settlement in principle on Plaintiff's request for attorney's fees, subject to final approval of the settlement terms. The parties require additional time to finalize approval of the settlement terms and execute a final settlement agreement.
- 9. Accordingly, the parties respectfully request that they file another Joint Status Report on or before June 7, 2019.

Dated: May 6, 2019

Respectfully submitted,

/s/ Laurence Schwartztol

JUSTIN FLORENCE (DC Bar No. 988953) LAURENCE SCHWARTZTOL The Protect Democracy Project, Inc. 2020 Pennsylvania Ave., NW #163 Washington, DC 20006

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